

MINUTES

SAN DIEGO COUNTY PLANNING COMMISSION

Regular Meeting – February 6, 2004

DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:00 a.m., recessed at 9:05 a.m., reconvened at 9:43 a.m., recessed at 10:36 a.m., reconvened at 10:49 a.m., and adjourned at 11:50 a.m.

ROLL CALL

Commissioners Present: Beck, Brooks, Edwards, Kreitzer, Miller

Commissioners Absent: Day, Woods

Advisors Present: Taylor

Staff Present: Gibson, Hulse, Laybourne, Russell, Bunnemeyer, McCaffery, Jones (recording secretary)

1. Director's Report:

There were none.

2. Public Requests:

Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's agenda.

There were none.

3. Approval of Minutes: January 23, 2004

Action: Kreitzer - Edwards

Approve the Minutes of January 23, 2004.

Ayes: 5 - Beck, Brooks, Edwards, Kreitzer, Miller
Noes: 0 - None
Abstain: 0 - None

Administrative:

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Absent: 2 - Day, Woods

ZAP 02-046:

4. Appeal of Minor Use Permit ZAP 02-046, Sprint PCS, San Dieguito Community Planning Area (continued from January 23, 2004)

Appeal, filed by the Rancho Santa Fe Association, of the Zoning Administrator's October 7, 2003 approval of Minor Use Permit ZAP 02-046. The application is for a wireless telecommunications facility and associated equipment cabinets. The proposed facility will be situated within the County right-of-way on El Camino del Norte. The facility will consist of mounting two antennas and one GPS antenna to new 10-foot wide cross arms located 29.9 feet above grade mounted to a replacement 44-foot tall SDG&E utility pole on the north side of El Camino del Norte. The distribution cabinet will be situated above ground on a concrete pad to the northwest of the replaced utility pole and surrounded by landscaping.

Staff Presentation: Bunnemeyer, Russell

Proponents: 8; Opponents: 11

Prior to Staff's report, Commissioners Beck and Edwards announce that they have listened to the audiotapes of the January 23, 2004 hearing. Staff and County Counsel have determined that the proposed project does not result in significant impacts. While project opponents have maintained that community contains historic and cultural landscaping, Staff has not found these statements to be true. Staff reminds the Commission that the site will not result in visual impacts, is not near the town center and will not impact it, and there are many, many utility poles already in existence in the community.

San Dieguito Community Planning Group representatives initially approved this project, but rescinded their decision following outcries from community residents. They question the applicant's right to locate the facility within the public right-of-way, and voice concerns about potential cumulative impacts. The Planning Group chairman informs the Commission that 15 such projects have been placed on the Planning Group's agenda for consideration since the Commission's January 23, 2004 hearing. Of those, five are proposed to be located within public rights-of-way.

The appellants (the Rancho Santa Fe Association) insist that the County must minimize the potential cumulative impacts of multiple cell sites and preserve the character of this community. They express their fears that other carriers are awaiting the Commission's decision on this proposal so they can locate their

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projects within public right-of-ways, and inform the Commission of their attempts to develop and implement a Master Plan for these facilities and for undergrounding utilities. They recommend that the Commission postpone today's hearing to allow the applicant to comply with CEQA. The appellant's legal representatives believe project opponents and design professionals have raised a fair argument for requiring an EIR. These project opponents regard Rancho Santa Fe as a cultural landscape, and insist that the entire community was placed on the California Historic Register in 1989. They believe today's project and other such facilities will eventually dominate the viewshed of the community.

The applicant's representatives remind the Commission that today's project is a replacement of a CMI facility on an existing utility pole, and the majority of testimony today relates to sites that are not applicable to this proposal. He concurs with Staff's assessment that there are no impacts resulting from the installation of this project, and informs the Commission that the size of the equipment cabinet has been reduced even more since the January 23, 2004 hearing. With respect to the Master Plan discussed by project opponents, the applicant considers it a good concept but his proposal will not be subjected to it. The applicant's representative reminds the Commission that the proposal has been found to be exempt from CEQA, and the project opponents have provided no substantial evidence that would constitute a fair argument. He believes requiring an EIR would be discriminatory because this is a single cell site, none of the existing sites were subject to an EIR, and no future applications should be considered in the Commission's deliberations.

Following public testimony, Commissioner Brooks reminds the audience that cell towers operate directionally and singularly. They do not need to communicate with other towers as some of the project opponents fear. In any event, the Commission is only dealing with the site before them today, not existing or future sites.

ZAP 02-046:

Action: Edwards – Kreitzer

Tentatively deny the appeal and accept Staff's recommendation to grant Minor Use Permit ZAP 02-046 and the Categorical Exemption. Staff is to return on February 20, 2004 with the appropriate Form of Decision.

Discussion of the Action:

Commissioner Beck reminds the audience that they have the right to appeal this Minor Use Permit to the Board of Supervisors. He can find no reason to deny this application; it is a replacing an existing facility and must be viewed as such.

Ayes:	5 -	Beck, Brooks, Edwards, Kreitzer, Miller
Noes:	0 -	None
Abstain:	0 -	None
Absent:	2 -	Day, Woods

5. Report on actions of Planning Commission's Subcommittees.

There were no reports.

6. Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):

No Commissioner will be attending the next Board of Supervisors hearing.

7. Discussion of correspondence received by the Planning Commission:

There was none.

8. Scheduled Meetings:

February 20, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
March 5, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
March 19, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
April 2, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
April 16, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
April 30, 2004	Planning Commission Workshop, DPLU Hearing Room, 9:00 a.m.
May 14, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
May 28, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
June 11, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
July 9, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
July 23, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
August 6, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
August 20, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
September 3, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
September 17, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
October 1, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.

There being no further business to be considered at this time, the Chairperson adjourned the meeting at 11:50 a.m. to 9:00 a.m. on February 20, 2004 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.